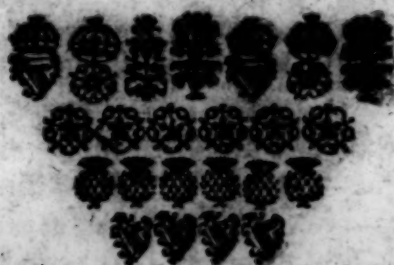


TWO

# A C T S OF PARLIAMENT,

The one for the preventing of the Inconveniencies  
happening by the long intermission of Parliament.  
And the other for regulating of the Privie Coun-  
cell, and for taking away the Court, commonly  
called, *The Star-Chamber.*



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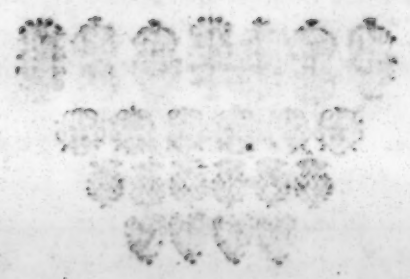
LONDON,

Printed by ROBERT BARKER, Printer to the  
Kings most Excellent Majestie: and by the  
Assignes of JOHN BIL.

*Anno Dom. 1640.*

TWO  
A C T S  
OF  
PARLIAMENT.

the one for the preventing of the Inconveniences  
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LONDON,  
Printed by ROBERT BARNER, Printer to the  
King's most Excellent Majesty: and by the  
Assignees of JOHN BIR.  
MDCCLXII.

ANNO XVI.

Caroli Regis.

¶ An Act for the preventing  
of Inconveniencies hap-  
pening by the long intermission  
of Parliaments.

**W** *Hereas by the Lawes and Statutes of this Realm, the Parlia-  
ment ought to be holden at least once every yeer, for the re-  
dresse of Grievances, but the appointment of the time and  
place for the holding thereof hath alwayes belonged, as it  
ought, to His Majestie and His Royall Progenitors. And  
whereas it is by experience found, that the not holding of  
Parliaments accordingly hath produced sundry and great  
mischiefs and inconveniencies to the Kings Majestie, the  
Church and Common-wealth, for the prevention of the like  
chiefs and inconveniencies in time to come;*  
Be it enacted by the Kings most excellent Majestie, with the consent of the Lords  
spirituall and Temporall, and the Commons in this present Parliament assembled,  
that the said Laws and Statutes be from henceforth duly kept and observed, and your  
Majesties loyal & obedient Subjects in this present Parliament now assembled, do hum-  
bly pray, that it be enacted; An be it enacted accordingly, by the authority of this pre-  
sent Parliament; That in case there be not a Parliament summoned by Writ under the  
Great Seal of *England*, and assembled and held before the tenth day of September, which  
shall be in the third yeer next after the last day of the last meeting and sitting in this  
present Parliament, the beginning of the first yeer to be accounted from the said last  
day of the last meeting and sitting in Parliament, and so from time to time, and in  
times hereafter, if there shall not be a Parliament assembled and held before the  
tenth day of September, which shall be in the third yeer next after the last day of the  
last meeting and sitting in Parliament before that time assembled and held; the be-  
ginning of the first yeer to be accounted from the said last day of the last meeting



and sitting in Parliament. That then in every such case as aforesaid, the Parliament shall assemble and be held in the usuall place at *Westminster*, in such manner, and by such means only as is hereafter in this present Act declared and enacted, and not otherwise, on the second Monday which shall be in the moneth of November then next ensuing. And in case this present Parliament now assembled and held, or any other Parliament which shall at any time hereafter be assembled and held by Writ under the great Seal of *England*: or in case any Parliament shall be assembled and held by authority of this present Act; and such Parliaments, or any of them shall be Prorogued or Adjourned, or continued by Prorogation or Adjournment, untill the tenth day of September which shall be in the third yeer next after the last day of the last meeting and sitting in Parliament, to be accompted as aforesaid, that then in every case, every such Parliament so Prorogued or Adjourned, or so continued by Prorogation or adjournment, as aforesaid, shall from the said tenth day of September be thenceforth clearly and absolutely dissolved, and the Lord Chancellor of *England*, the Lord Keeper of the great Seal of *England*, and every Commissioner and Commissioners for the keeping of the great Seal of *England* for the time being, shall within six dayes after the said tenth day of September, in every such third year as aforesaid, give due form of Law, and without any further Warrant or Direction from His Majesty, His Heires or Successours, Seal, issue forth, and send abroad severall and respective Writs to the severall and respective Peeres of this Realm, commanding every such Peer that he personally be at the Parliament to be held at *Westminster*, on the second Monday that shall be in November next following the said tenth day of September, then and there to treat concerning the high and urgent Affairs concerning His Majesty, the State, and defence of the Kingdom and Church of *England*: and shall also Seal, issue forth, and send abroad severall and respective Writs to the severall and respective Sheriffs of the severall and respective Counties, Cities, and Boroughs of *England* and *Wales*, and to the Constable of the Castle of *Dover*, Lord Warden of the Cinque-Ports, or his Lieutenant for the time being, and to the Major and Bailiff of *Barwick upon Tweed*, and to all and every other Officers and Persons to whom Writs have used to be directed, for the electing of the Knights, Citizens, Barons, and Burgessees, of and for the said Counties, Cities, Cinque-Ports, and Boroughs of *England* and *Wales*, respectively, in the accustomed form to appear and serve in Parliament to be held at *Westminster* on the said second Monday, which shall be in November aforesaid, which said Peers, after the said Writs received, and which said Knights, Citizens, Barons, and Burgessees chosen by vertue of the said Writs, shall then there appear and serve in Parliament accordingly. And the said Lord Chancellor, Lord Keeper, Commissioner and Commissioners aforesaid, shall respectively take solemn Oath upon the holy Evangelist for the due issuing of Writs, according to the tenour of this Act, viz. in hæc verba:

**Y**ou shall swear, that you shall truly and faithfully issue forth and send abroad all Writs of Summons to Parliament for both Houses, at such time and in such manner as is expressed and enjoined by an Act of Parliament, intituled: An Act for the prevention of inconveniencies happening by the long intermission of Parliaments.

Which Oath is forthwith to be taken by the present Lord Keeper, and to be ministred by the Clerk of the Crown to every Lo. Chancellour, Lord Keeper, Commissioner and Commissioners aforesaid, and that none of the said Officers respect



ly shall henceforth execute any the said offices before they have taken the said Oath. And if the said Lord Chancellour, Lord Keeper, or any the said Commissioners shall fail or forbear so to issue out the said Writs, according to the true meaning of this Act; then he or they respectively shall, beside the incuring of the grievous sin of perjury, be disabled, and become by vertue of this Act incapable, *ipso facto*, to bear his and their said Offices respectively, and be further lyable to such punishments as shall be inflicted on him or them by the next or any other ensuing Parliament. And in case the said Lord Chancellour, Lord Keeper, Commissioner or Commissioners aforesaid, shall not issue forth the said Writs as aforesaid: or in case that the Parliament do not assemble and be held at the time and place before appointed, Then the Parliament shall assemble and be held in the usuall place at *Westminster*, in such manner, and by such means onely, as is hereafter in this present Act declared and enacted, and not otherwise, on the third Monday which shall be in the moneth of January then next ensuing. And the Peers of this Realm shall by vertue of this Act be enabled, and are enjoyned to meet in the old Palace of *Westminster*, in the usuall place there, on the third Monday in the said moneth of November, and they or any twelve or more of them, then and there assembled, shall on or before the last Monday of November next following the tenth of September aforesaid, by vertue of this Act, without other Warrant, issue out Writs in the usuall form, in the name of the Kings Majestie, His Heirs or Successors, attested under the hands and seals of twelve or more of the said Peers, to the severall and respective Sheriffs of the severall and respective Counties, Cities, and Boroughs of *England* and *Wales*, and to the Constable of the Castle of *Dover*, Lord Warden of the Cinque-Ports, or his Lieutenant for the time being, and to the Major and Bailiffs of *Barwick upon Tweed*, and to all and every other the said Officers and persons to whom Writs have been used to be directed, for the electing of the Knights, Citizens, Barons, and Burgessees, of and for the said Counties, Cities, Cinque-Ports, and Boroughs, to be and appear at the Parliament at *Westminster* aforesaid, to be held on the third Monday in January then next following: All and every Writs the Clerks of the Pettibag, and other Clerks to whom the writing of the Writs for Summons to the Parliament, doth and shall belong, or whom the said Lords, or twelve or more of them shall appoint, shall at the command of the said Lords so assembled, or of any twelve or more of them, make and prepare ready for the Signature of the said Lords or any twelve or more of them, under pain of the losse of their Places and offices, and of such other punishment, as in the next, or any other ensuing Parliament, shall be inflicted on him or them. And it is enacted, That the said Writs so issued shall be of the same power and force to all intents and purposes as the Writs or summons to Parliament under the great seal of *England*, have ever been or ought to be. And all the Messengers of the Chamber or others who shall be appointed by the said Lords, or any twelve or more of them, are hereby required faithfully and speedily to deliver the said Writs to every persons, Sheriffe, Officers, and others to whom the same shall be directed: which if the said Messengers or any of them shall fail to perform, they shall forfeit their respective Places, and incurre other pains and punishments as by that or any other ensuing Parliament shall be imposed on them.

And it is also further enacted, That all and every the Peers of this Realm shall make their appearance, and shall assemble on the said third Monday in January, in such manner, and to such effect, and with such power, as if they had received every of them Writs of summons to Parliament, under the great seal of *England*, in the usuall and accustomed manner. And in case the said Lords, or twelve or more of them,

them, shall fail to issue forth such Writs, or that the said Writs do not cometo the said severall Counties, Cities, Cinque-Ports, and Borroughs, so that an election be not thereupon made; And in case there be not a Parliament assembled and held before the three and twentieth day of the said moneth of January, and so from time to time, and in all times hereafter, if there shall not be a Parliament assembled, and held before the said three and twentieth day of January; then in every such case as aforesaid, the Parliament shall assemble, and be held in the usuall place at *Westminster*, in such manner, and by such means onely as is hereafter in this present Act declared and enacted, and not otherwise, on the second Tuesday which shall be in the moneth of March next after the said three and twentieth day of January: At which Parliament the Peers of this Realm shall make their appearance, and shall assemble at the time and place aforesaid, and shall each of them be liable unto such pains and Censures, for his, and their not appearing and serving then and there in Parliament, as if he, or they had been summoned by Writ under the great seal of *England*, and had not appeared and served, and to such further pains and Censures, as by the rest of the Peers in Parliament assembled, they shall be adjudged unto.

And for the better assembling of the Knights, Citizens, Barons and Burgessees to the said Parliament, as aforesaid; It is further Enacted, That the respective Sheriffs of their severall and respective Counties, Cities, and Borroughs of *England* and *Wales*, the Chancellour, Masters and Schollers of both and every of the Universities, and the Major and Bailiffs of the Borough of *Barwick* upon *Tweed*, shall at the severall Courts, and places to be held and appointed for their respective Counties, Universities, Cities and Borroughs, next after the said three and twentieth day of January, cause such Knight and Knights, Citizen and Citizens, Burgesse and Burgessees of their said Counties, Universities, Cities and Borroughs respectively, to be chosen by such persons, and in such manner, as if severall and respective Writs of summons to Parliament under the great seal of *England* had issued, and been awarded. And in case any of the severall Sheriffs, or the Chancellour, Masters and Schollers of either of the Universities, or the Major and Bailiffs of *Barwick* respectively, do not before ten of the Clock in the forenoon of the same day, wherein the severall and respective Courts and places shall be held or appointed, for their severall and respective Counties, Universities, Cities and Borroughs as aforesaid, begin and proceed on according to the meaning of this Law, in causing Elections to be made of such Knight and Knights, Citizen and Citizens, Burgessees of their said Counties, Universities, Cities, and Borroughs as aforesaid, then the Freeholders of each County, and the Masters and Schollers of every of the Universities, and the Citizens, and others having voices in such Election respectively, in each University, City and Borough, that shall be assembled at the said Courts or places to be held, or appointed, as aforesaid, shall forthwith, without further Warrant, or direction, proceed to the Election of such Knight or Knights, Citizen or Citizens, Burgesse or Burgessees aforesaid, in such manner as is usuall in case of Writs of summons issued and awarded.

And it is further enacted, That the severall and respective Sheriffs of their severall and respective Counties, and the Constables of the Castle of *Dover*, and Lord Warden of the Cinque-Ports, or his Lieutenant for the time being respectively, shall after the said three and twentieth day of January, and before the eighth day of February then immediately next ensuing, award and send forth their Precepts to the severall and respective Cities and Borroughs, within their severall Counties, and likewise unto the said Cinque-Ports respectively, Commanding them respectively to make choice of such  
Citizen



# CAO LI REGIS.

Citizen and Citizens, Barons, Burgesse and Burgessees, to serve in the said Parliament, at the time and place aforesaid; Which said Cities, Cinque-Ports, and Boroughs respectively, shall before the last day of the said moneth of February, make election of such Citizen and Citizens, Barons, Burgesse and Burgessees, as if writs for Summoning of a Parliament, under the great seal of *England*, had issued and been awarded. And in case no such precept shall come unto the said Cities, Cinque-ports, and Boroughs respectively, by the time herein limited; Or in case any precept shall come, and no election be made thereupon before the said last day of February, That then the severall Citizens, Burgessees, and other persons that ought to elect and send Citizens, Barons, and Burgessees to the Parliament, shall on the first Tuesday in March, then next ensuing the said last day of February, make choice of such Citizen and Citizens, Barons, Burgesse and Burgessees, as if a Writ of summons under the great seal of *England*, had issued and been awarded, and precepts thereupon issued, to such Cities, Cinque-ports, and Boroughs: Which Knights, Citizens, Barons, and Burgessees so chosen, shall appear, and serve in Parliament at the time and place aforesaid, and shall each of them be liable unto such paines and Censures, for his and their not appearing and serving then and there in Parliament, as if he or they had been elected and chosen by vertue of a Writ under the great seal of *England*; and shall be likewise subject unto such further paines and Censures, as by the rest of the Knights, Citizens, and Burgessees assembled in the Commons house of Parliament, he or they shall be adjudged unto. And the Sheriffs and other Officers and persons to whom it appertaineth, shall make returns, and accept and receive the Returns of such elections in like manner as if Writs of summons had issued, and been executed as hath been used and accustomed. And in default of the Sheriffs and others Officers respectively in not accepting, or making return of such elections, it shall and may be lawfull, to and for the severall Freeholders and other persons that have elected, to make returns of the Knights, Citizens, Barons and Burgessees by them elected, which shall be as good and effectuell to all intents and purposes, as if the Sherife or other officers, had received a Writ of summons for a Parliament, and had made such returns. And that each Elections, precepts and Returnes shall be had and made at such times, by such persons, and in such manner as before in this Act is expressed and declared, according to the true intent and meaning of this Law; Any Writ, Proclamation, Edict, Act, Restraint, Inhibition, Order or Warrant to the contrary in any wise notwithstanding. And in case any person, or persons shall be so hardy to advise, frame, contrive, serve, or put in in execution any such Writs, Proclamation, Edict, Act, Restraint, Inhibition, Order, or Warrant thereupon; then he or they so offending shall incur and sustain the paines, penalties, and forfeitures, limited, ordained, and provided by and by the Statute of provision and premunire made in the 16. year of King *Richard* the second, and shall from thenceforth be disabled during his life to sue or implead any person in any Action reall or personall, or to make any Gift, Grant, Conveyance, or other disposition of any his Lands, Tenements, Hereditaments, Goods or Chattels, which he hath to his own use either by Act executed in his life time, or by his last Will, or otherwise, or to take any Gift, Conveyance, or Legacie to his own use, or to take any benefit of any Gift, Conveyance, or Legacy to his own use. And any Sheriffe, Constable of the Castle of *Dover*, or Lord Warden of the Cinque-ports, shall not perform his duty enjoyned by this Act, then he shall lose and forfeit the sum of one thousand pounnds; and every County, City, Cinque-port, and Borough, that shall not make election of their Knights, Citizens, Barons, and Burgessees.



gesses respectively, shall incur the penalties following ( that is to say ) every County the sum of one thousand pounds, and every City which is no County, two hundred pounds, and every Cinque-port and Borough the sum of one hundred pounds. All and every of which severall Forfeitures, and all other Forfeitures in this Act mentioned shall and may be recovered in any of the Kings Courts of Record at *Westminster*, by and in the name of the Lord Major of the City of *London* for the time being, without naming the Christian name or surname of the said Lord Major for the time being, by Action of Debt, Bill, plaint or Information, wherein no Effogin, Protection, Wager of Law, Aid, prayer, Priviledge, Injunction or Order of Restraint shall be in any wise prayed, granted or allowed, nor any more then one Imparlançe. And if any person after notice given, that the Action depending is grounded or prosecuted upon or by vertue of this Statute shall cause or procure any such Action to be stayed or delayed before Judgement, by colour or means of any Order, Warrant, Power or authority, save onely of the Court wherein such Action, as aforesaid, shall be brought or depending, or after Judgement had upon such Action, shall cause or procure the Execution of or upon any such Judgement to be stayed or delayed by colour or means of any Order, warrant, Power or authority, save onely by Writ of Errour or Attaint; that then the said persons so offending shall incurre and sustain all and every the pains, penalties, and forfeitures limited, ordained and provided in and by the said Statute of provision, and premunire, made in the sixteenth year of King *Richard* the Second: And if any Lord Major of *London* shall at any time hereafter commence or preferre any such suite, Action or Information, and shall happen to die or be removed out of his office before Recovery and Execution had; that yet no such Action, suit, or Information sued, commenced, or preferred, shall by such displacing or death be abated, discontinued, or ended, but that it shall and may be lawfull to and for the Lord Major of the City of *London* next succeeding in that Office and place, to prosecute, pursue and followed all and every such Action, Bill, plaint or Information for the Causes aforesaid so hanging and depending, in such manner and form, and to all intents and purposes as that Lord Major might have done which first commenced or preferred the same. The fifth part of all and every the Forfeitures in this Act mentioned shall go and be to and for the use and behoof of the City of *London*; and the other four parts and residue to be employed and disposed to and for such onely uses, intents, and purposes, as by the Knights Citizens, and Burgesses, in Parliament assembled shall be declared, directed, and appointed. Provided, that in case the Freeholders of any County and Inhabitants or other persons having or claiming power to make election of any Knights, Citizens, Barons, or Burgesses shall proceed to making of election of their Knights, Citizens, Barons, and Burgesses, which Election shall afterwards fall out to be afterwards adjudged or declared void in Law by the House of Commons, by reason of equality of voices, or misdemeanour of any person whatsoever; then the said County, City Cinque-port, or Borough shall not incurre the penalties in this Law, so as an Election *de facto* be made.

And it is further enacted, that no Parliament henceforth to be assembled, shall be dissolved or prorogued within fifty dayes at the least after the time appointed for the meeting thereof; unlesse it be by assent of His Majestie, His Heirs, or Successours, and of both Houses in Parliament assembled: And that neither the House of Peers, nor the House of Commons shall be adjourned within fifty dayes at least, after the meeting thereof, unlesse it be by the free consent of every the said Houses respectively.

# CAOLI REGIS.

And be it further enacted and declared by authority of this present Parliament, that the Peers to be assembled at any Parliament, by vertue of this Act, shall and may from time to time, at any time during such their assembly in Parliament, choose and declare such person to be Speaker for the said Peers, as they shall think fit: And likewise that the said Knights, Citizens, and Burgeses to be assembled at any Parliament, by vertue of this Act, shall and may from time to time, at any time during such their assembly in Parliament, choose and declare one of themselves to be Speaker for the said Knights, Citizens, and Burgeses of the House of Commons assembled in the said Parliament, as they shall think fit: which said Speakers, and every of them, as well for the said Peers, as for the said House of Commons respectively, shall by vertue of this Act be perfect and compleat Speakers for the said Houses respectively, and shall have as full and large power, jurisdiction, and priviledges to all intents and purposes, as any Speaker, or Speakers of either of the said Houses respectively, heretofore have had, or enjoyed.

And it is further enacted and declared, that all Parliaments hereafter to be assembled by authority of this Act, and every member thereof, shall have and enjoy all Rites, Priviledges, Jurisdctions, and Immunities, as any Parliament summoned by Writ under the great Seal of *England*, or any Member thereof might, or ought to have: And all and every the Members that shall be elected, and chosen to serve in any Parliament hereafter to be assembled by authority of this Act, as aforesaid, shall assemble and meet in the Commons House of Parliament, and shall enter into the same, and have voices in such Parliament, before, and without the taking of the severall oathes of Supremacy and Allegiance, or either of them; any Law or Statute to the contrary thereof in any wise notwithstanding.

Provided alwayes, That if the Kings Majesty, His Heires or Successors, shall at any time during any Parliament hereafter to be assembled by authority of this Act, as aforesaid, award or direct any Commission, or Commissions, unto any person, or persons whatsoever, thereby giving power and authority to him or them, to take and receive the Oath of Supremacy and Allegiance, of all or any the members of the Commons House of Parliament, and any the Members of that House, being duly required thereunto, shall refuse or neglect to take and pronounce the same, that from henceforth such person so refusing or neglecting, shall be deemed no Member of that House, nor shall have any voice therein, and shall suffer such paines and penalties, as he had presumed to fit in the same house without election, return or authority.

And it is likewise provided and enacted, that this Statute shall be publicly read yeerly at every generall Sessions of the peace, to be held next after the *Epiphany*, and every fiftes then next ensuing, by the Clerke of the Peace, and Clerke of the Assises for the time being respectively; and if they or either of them, shall neglect, or fail to do the same accordingly, then such party so neglecting or failing, shall forfeit the sum of one hundred pounds. And it is lastly provided and enacted, that His Majesties assent to this Bill shall not thereby determine this present Session of Parliament, that all Statutes and Acts of Parliament, which are to have continuance unto the end of this present Session, shall be of full force after His Majesties assent, untill this present Session be fully ended and determined: And if this present Session shall determine before the dissolution of this present Parliament, then all the Acts and Statutes aforesaid, shall be continued untill the end of the first Session of the next Parliament.







ANNO XVII

Caroli Regis.

¶ An Act for regulating of  
the Privie Councell, and for  
taking away the Court, commonly  
called, *The Star-Chamber.*

**W** Hereas by the Great Charter many times confirmed in Parli-  
ament, It is enacted, That no Freeman shall be taken or im-  
prisoned, or disseised of his Freehold, or Liberties, or free  
Customes, or be Outlawed, or exiled, or otherwise destroy-  
ed, and that the King will not passe upon him, or con-  
demn him but by lawfull Judgement of his Peers, or by the  
Law of the land; And by another statute made in the fifth  
yeer of the Reign of King *Edward* the third, It is Enacted,  
That no man shall be attached by any accusation, nor fore-  
judged of life or lim, nor his Lands, Tenements, Goods, nor Chattels seised into  
the Kings hands against the form of the great Charter, and the Law of the land.  
And by another statute made in the five and twentieth yeer of the Reign of the same  
King *Edward* the third, It is accorded, assented and established, that none shall be  
taken by petition, or suggestion made to the King or to His Councell, unlesse it be by  
indictment or presentment of good and lawfull people of the same Neighbourhood  
where such deeds be done, in due manner, or by processe made by Writ originall at  
the common Law, and that none be put out of his Franchise or Free-hold, unlesse he  
be duly brought in, to answer, and forejudged of the same by the course of the Law,  
and if any thing be done against the same, it shall be redressed and holden for none,  
and by another statute made in the eight and twentieth yeer of the Reign of the same  
King *Edward* the third, It is amongst other things Enacted, that no man of what estate  
condition soever he be, shall be put out of his Lands or Tenements, nor taken, nor  
imprisoned, nor disinherited, without being brought in to answer by due processe of  
Law, And by another statute made in the two and fourtieth yeer of the Reign of the  
said

And King *Edward* the third, It is Enacted that no man be condemned by the  
writement before Justice, or master of Record, or by the oath and Verdict  
ginnall, according to the old Law of this land, and if any thing be done to the con-  
trary, it shall be void in Law and holden for error. And by another statute made in  
the six and thirtieth year of the same King *Edward* the third, It is amongst other  
things Enacted, That all pleas which shall be pleaded in any courts before any the  
Kings Justices, or in His other places, or before any of his other Ministers, or in  
the courts and places of any other Lords within the Realm, shall be entred and in-  
rolled in latine, And whereas by the statute made in the third year of King *Henry*  
the seventh, power is given to the Chancellor, the Lord Treasurer of *England* for  
the time being, and the Keeper of the Kings privie seal, or two of them, calling un-  
to them a Bishop and a Temporall Lord of the Kings most honourable Councell, and  
the two chief Justices of the Kings bench and common pleas for the time being, or othe-  
ther two Justices in their absence to proceed, as in that act is expressed, for the puni-  
shment of some particular offences therein mentioned, And by the statute made in  
the one and twentieth year of King *Henry* the eighth, The President of the Councell  
is associated to joyn with Lord Chancellour and other Judges in the said statute, or  
the third of *Henry* the seventh mentioned, But the said Judges have not kept  
themselves to the points limited by the said statute, but have undertaken to punish  
where no Law doth warrant, and to make Decrees for things having no such authori-  
tie, and to inflict heavier punishments then by any Law is warranted.

And forasmuch as all matters examinable, or determinable before the said Judges, claim in the Court commonly called the Star-chamber, may have their proper remedy and redresse, and their due punishment, and correction by the Common Law of the Land, and in the ordinary course of Justice elsewhere; And forasmuch as the reasons and motives inducing the erection and continuance of that Court do now cease, and their proceedings, Censures, and Decrees of that Court, have by experience been found, to be an intolerable burthen to the subject, and the meanes to introduce an Arbitrary power and Government; And forasmuch as the Councell-Table, hath of late time assumed unto it self, a power to intermeddle in Civill causes and matters, onely of a private interest between party, and party, and have adventured to determine of the Estates, and Liberties of the Subject, contrary to the Law of the Land, and the rights and priviledges of the Subject, by which great and manifold mischiefs, and inconveniencies have arisen, and happened, and much uncertainty by means of such proceedings hath been conceived concerning mens rights, and estates; For settling whereof, and preventing the like in time to come;

Be it Ordained, and enacted by Authority of this present Parliament, That the said Court commonly called the Star-Chamber, and all Jurisdiction, power, and authority, belonging unto, or exercised in the same Court, or by any the Judges, Officers, or Ministers thereof, be from the first day of August, in the year of our Lord God, one thousand six hundred forty and one, clearly and absolutely dissolved, taken away, and determined, and that from the said first day of August, neither the Lord Chancellor, or Keeper of the great seal of *England*, the Lord Treasurer of *England*, the Keeper of the King Privy-seal, or President of the Councell, nor any Bishop, temporall Lord, Privy-Councellor, or Judge, or Justice whatsoever, shall have any power, or authority to hear, examine, or determine any matter, or thing whatsoever, in the said Court commonly called the Star-Chamber, or to make, pronounce, deliver any Judgement, sentence, Order, or Decree, or to do any Judicall, or Ministeriall Act in the said Court; And that all and every Act, and Acts of Parliame



# STATUTES.

and all and every Article, clause, and sentence in them, and every of them, by which any Jurisdiction, power, or authority is given, limited, or appointed unto the said Court, commonly called the Star-Chamber, or unto all, or any the Judges, Officers, or Ministers thereof, or for any proceedings to be had, or made in the said Court, or for any matter, or thing to be drawn into question, examined, or determined there, shall for so much as concerneth the said Court of Star-Chamber, and the power, and authority thereby given unto it, be from the said first day of August repealed, and absolutely revoked and made void.

And be it likewise enacted, That the like Jurisdiction now used and exercised in the Court before the President, and Councill, in the Marches of *Wales*, and also in the Court, before the President, and Councill established in the Northern parts: And also in the Court, commonly called the Court of the Duchy of Lancaster, held before or of the Chancellor, and Councill of that Court. And also in the Court of Exchequer, of the County Palatine of Chester, held before the Chamberlain and Councill of the same Court; The like Jurisdiction being exercised there, shall from the said first day of August, one thousand six hundred forty and one, be also repealed, and absolutely, or revoked and made void, any Law, prescription, custome, or usage, Or the said statute, made in the third year of King *Henry* the seventh; Or the Statute, made in the one and twentieth of *Henry* the eight, Or any Act, or Acts of Parliament heretofore had, or made, to the contrary thereof in any wise notwithstanding; And that from henceforth no Court, Councill, or place of Judicature shall be erected, or created, constituted, or appointed within this Realm of *England*, or Dominion of *Wales*, which shall have, use, or exercise the same, or the like Jurisdiction, as is, or hath been used, Practised, or exercised in the said Court of Star-Chamber.

Be it likewise declared, and enacted by authority of this present Parliament, That neither his Majestie, nor his Privy-Councill, have, or ought to have any Jurisdiction, power, or authority, by English Bill, Petition, Articles, Libell, or any other arbitrary way whatsoever, to examine or draw into question, determine, or dispose of the time of the Lands, Tenements, Hereditaments, Goods, or Chattels, of any the Subjects of this Kingdom: But that the same ought to be tried, and determined in the ordinary Courts of Justice, and by the ordinary course of the Law.

And be it further provided, and enacted, That if any Lord Chancellor, or Keeper of the great seal of *England*, Lord Treasurer, Keeper of the Kings Privy Seal, President of the Councill, Bishop, Temporall Lord, Privy-Councillour, Judge, or Justice whatsoever, shall offend, or do any thing contrary to the purport, true intent and meaning of this Law, Then he, or they shall for such offence, forfeit the sum of five hundred pounds of lawfull money of *England*, unto any party grieved, his Executors, or Administrators who shall really prosecute for the same, and first obtain Judgement thereupon, to be recorded in any Court of Record at *Westminster*, by any Action of Debt, Bill, Complaint, or information, wherein no Essoine, Protection, or Trespasse of Law, Aid, Prayer, Priviledge, Injunction, or Order of restraint shall be taken in any wise prayed, granted, or allowed, nor any more then one Imparllance. And any person, against whom any such Judgement, or Recovery shall be had as afore- said, shall after such Judgement, or Recovery offend again in the same, then he, or they shall for such offence, shall forfeit the sum of one thousand pounds, of lawfull money of *England*, unto any party grieved, his Executors, or Administrators, who shall really prosecute for the same, and first obtain Judgement thereupon to be Recorded in any Court of Record at *Westminster*, by Action of Debt, Bill, Complaint, or information.



tion, in which no *Essoigne*, Protection, Wager of Law, Aid, Prayer, Priviledge, Injunction, or Order of Restraint, shall be in any wise prayed, granted, or allowed, nor any more then one Imparllance. And if any person against whom any such second judgement, or Recovery shall be had as aforesaid, shall after such judgement, or Recovery offend again in the same kinde, and shall be thereof duly convicted, by Indictment, Information, or any other lawfull way, or means, that such person so convicted, shall be from thenceforth disabled, and become by vertue of this Act incapable, *Ipso facto*, to bear his, and their said Office, and Offices respectively, and shall be likewise disabled to make any Gift, Grant, Conveyance, or other disposition of any his Lands, Tenements, Hereditaments, Goods, or Chattels, or to take any benefit of any Gift, Conveyance, or Legacy to his own use.

And every person so offending shall likewise forfeit and lose unto the party grieved by any thing done contrary to the true intent, and meaning of this Law, his treble damages, which he shall sustain, and be put unto by means, or occasion of any such Act, or thing done, the same to be recovered in any of His Majesties Courts of Record at *Westminster*, by Action of Debt, Bill, Plaint, or Information, wherein no *Essoigne*, Protection, Wager of Law, Aid, Prayer, Priviledge, Injunction or Order of Restraint, shall be in any wise Prayed, Granted, or allowed, nor any more then one Imparllance.

And be it also provided and enacted, That if any person shall hereafter be committed, restrained of his liberrie, or suffer imprisonment by the Order or Decree of any such Court of Star-Chamber, or other Court aforesaid, now, or at any time hereafter having or pretending to have the same or like Jurisdiction, Power or Authority to commit, or imprison as aforesaid; or by the Command or Warrant of the Kings Majestie, his Heires or Successours in their own person, or by the Command or Warrant of the Councel-board, or of any of the Lords, or others of his Majesties Privie Councell, That in every such case every person so committed, restrained of his libertie, or suffering imprisonment, upon demand or motion made by his Counsel or other employed by him for that purpose, unto the Judges of the Court of King Bench, or Common Pleas, in open Court, shall without delay, upon any pretence whatsoever, for the ordinary Fees usually paid for the same, have forthwith granted unto him a Writ of *Habeas Corpus* to be directed generally unto all and every Sheriff, Gaoler, Minister, Officer, or other person, in whose custody the party committed or restrained shall be, and the Sheriffs, Gaoler, Minister, Officer, or other person in whose custody the party so committed or restrained shall be, shall at the return of the said Writ, and according to the Command thereof, upon due and convenient notice thereof given unto him, at the charge of the party who requireth or procureth such Writ, and upon securitie by his own bond given, to pay the charge of carrying back the Prisoner, if he shall be remanded by the Court, to which he shall be brought as in like cases hath been used, such Charges of bringing up and carrying back the Prisoner, to be alwayes ordered by the Court, if any difference shall arise thereabout, bring or cause to be brought the body of the said party so committed, or restrained, unto and before the Judges or Iustices of the said Court, from whence the same Writ shall issue in open Court, and shall then likewise certifie the true cause of such his deteinour, or imprisonment, and thereupon the Court within three Court dayes after such return made and delivered in open Court, shall proceed to examine and determine whether the cause of such Commitment appearing upon the said return be just and legall, or not, and shall thereupon do what to Iustice shall appertain, either

## CAO LI REGIS.

by delivering, bailing, or remanding the prisoner. And if any thing shall be otherwise wilfully done or omitted to be done by any Iudge, Iustice, Officer, or other person afore mentioned, contrary to the direction and true meaning hereof, That then such person so offending shall forfeit to the partie grieved, his treble damages, to be recovered by such means and in such manner, as is formerly in this Act limited and appointed for the like penaltie to be sued for and recovered.

Provided alwayes and be it enacted, That this Act, and the severall Clauses therein contained, shall be taken and expounded to extend onely to the Court of Star-chamber, and to the said Courts holden before the President and Councell in the Marches and *Wales*, and before the President and Councell in the Northern parts; And also to the Court commonly called the Court of the Dutchy of *Launcester*, holden before the Chancellor and Councell of that Court: And also in the Court of Exchequer of the County Palatine of *Chester*, held before the Chamberlain and Councell of that Court; And to all Courts of like Iurisdiction to be hereafter erected, ordained, constituted, or appointed as aforesaid; And to the Warrants and Directions of the Council-board, touching the Commitment, restraints, and Imprisonments of any person or persons on oath, commanded, or awarded by the Kings Majestie, His Heires or Successours in their own person, or by the Lords and others of the Privie Councell, and every one of them.

And lastly, provided, and be it enacted, That no person or persons shall be sued, or impleaded, molested, or troubled, for any offence against this present Act, unlesse the partie supposed to have so offended, shall be sued or impleaded for the same within six months or years at the most after such time wherein the said offence shall be committed.



delivering, selling, or remanding the prisoner. And if any thing shall be otherwise wilfully done or omitted to be done by any Justice, Officer, or other person afore mentioned contrary to the direction and true meaning hereof, That then the person so offending shall forfeit to the party grieved his treble damages, to be recovered by itself means and in such manner, as is formerly in this Act limited and appointed for the like penalties to be paid for and recovered.

provided always and be it enacted, That this Act, and the severall Clauses therein contained, shall be taken and expounded to extend only to the Court of Star-chamber, and to the said Courts holden before the President and Council in the Marches Wales, and before the President and Council in the Northern parts. And also to the Court commonly called the Court of the Duchy of Lancaster, holden before the Chancellor and Council of that Court: And also in the Court of Exchequer of the County Palatine of Chester, holden before the Chamberlain and Council of that Court: And to all Courts of like Jurisdiction to be hereafter erected, ordained, constituted, appointed or otherwise, And to the Warrants and Directions of the Council-board, to the Commitment, restraint, and imprisonment of any person or persons, commanded, or awarded by the Kings Majesty, His Heirs or Successors in their own person, or by the Lords and others of the Privie Council, and every one of them.

And lastly, provided, and be it enacted, That no person or persons shall be fined, impleaded, molested, or troubled, for any offence against this present Act, unless the party supposed to have so offended, shall be sued or impleaded for the same within yeeres at the most after such time wherein the said offence shall be committed.



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